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WOODARD, EMHARDT, MORIARTY, MCNETT & HENRY LLP
111 MONUMENT CIRCLE, SUITE 3700
INDIANAPOLIS, IN 46204-5137

In re Application of MICHEL et al :
U.S. Application No.: 10/521,478 :
PCT Application No.: PCT/US2003/022295 :
Int. Filing Date: 17 July 2003 :
Priority Date Claimed: 17 July 2002 : COMMUNICATION
Attorney Docket No.: 16590-35 :
For: HERBICIDE-RESISTANT PLANTS, AND :
POLYNUCLEOTIDES AND METHODS :
FOR PROVIDING SAME :

This is in response to the correspondence filed 28 August 2006.

BACKGROUND

On 17 July 2003, applicant filed international application PCT/US2003/022295, which claimed priority of an earlier United States application filed 17 July 2002. The thirty-month period for paying the basic national fee in the United States expired on 17 January 2005.

On 17 January 2005, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was accompanied by, *inter alia*, the basic national fee required by 35 U.S.C. 371(c)(1).

On 23 January 2006, the DO/EO/US mailed a Notification of Missing Requirements Under 35 U.S.C. 371 (Form PCT/DO/EO/905), which indicated that an oath or declaration in compliance with 37 CFR 1.497 must be filed.

On 28 August 2006, applicant filed an executed declaration.

DISCUSSION

The declaration filed 28 August 2006 is improper. Specifically, it is not acceptable to combine pages of different declarations into a single declaration. See MPEP 201.03 (stating,

"Where individual declarations are executed, they must be submitted as individual declarations rather than combined into one declaration.")

CONCLUSION

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision, including preparation and mailing of a Notification of Defective Response (Form PCT/DO/EO/916), indicating that a proper oath or declaration in compliance with 37 CFR 1.497 must be filed.

Please direct further correspondence with respect to this matter to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

Bryan Lin

Bryan Lin
PCT Legal Examiner
PCT Legal Office

Telephone: 571-272-3303
Facsimile: 571-273-0459